



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(parlee01.005)

5 **Applicant:** Robert Parlee **Confirmation No:** 5824
 Application No: 10/671,078 **Group Art Unit:** 1732
 Filed: 9/25/03 **Examiner:** Allan R. Kuhns

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Title: *Techniques for making carbon fiber bicycle frames*

15 Commissioner for Patents
 Alexandria, VA 22313-1450

Response to a non-final Office action under 37 C.F.R. 1.111

Background

20 The above application was finally rejected in an Office action mailed 10/3/05. All claims were rejected under 35 U.S.C. 103 as being obvious over U.S. patent 5,019,312, Bishop, *Method for assembling a bicycle frame*, henceforth "Bishop". Examiner granted Applicant's attorney a telephonic interview in which no agreement was reached but Applicant's attorney gained an improved understanding of how Examiner was reading the Bishop reference. In his response to

25 the final rejection, filed 12/30/05, Applicant's attorney amended his claims to better distinguish them from Bishop. Examiner issued an advisory action on January 19 indicating that the amendment raised new issues and that he would consequently not enter it. After several attempts to make amendments after final that would meet his client's requirements and that Examiner would enter, Applicant's attorney filed an RCE on April 3, 2003. In *Remarks* accompanying the

30 RCE, Applicant's attorney indicated that the Submission under 37 C.F.R. 1.114 in the RCE was the unentered response of 12/30/05. Examiner mailed a first Office action in the RCE on 4/24/2006. The basis of the Office action was the claims of a response to an advisory action filed on 3/10/06. All claims were rejected as obvious over the combination of Bishop and U.S. Patent 4,954,209, Baron, *Apparatus for producing molded articles*, henceforth Baron. Applicant's

35 attorney telephoned Examiner about the matter and Examiner suggested that the easiest way to

remedy the matter would be for Applicant to file the amendment of 12/30/05 as a supplemental amendment. Applicant did so and received a non-final Office action mailed 7/21/2006. In the Office action of 7/21/2006, Examiner rejected claim 17 as anticipated by Bishop, claims 18 and 19 as obvious over the combination of Bishop and Baron, and claims 19 and 24 as obvious over the combination of Bishop, Baron, and Wong (USSN 5,665,461). Applicant is canceling claims 17-19, 21, 22, and 24 and adding new claims 25-27. In so doing, Applicant is limiting his application to one species of the invention of claim 17 but is not conceding that the genus and the other species are unpatentable over the references.

Applicant's attorney would like further to thank Examiner for his consideration of a proposed amendment which was faxed to Examiner on October 19 and for the discussion Examiner had with Applicant's attorney about the amendment on October 20. Applicant's attorney believes that Examiner will see the effect of the discussion on both the claims and the *Remarks*.

Please amend the claims as follows.